# BAY AREA AIR QUALITY MANAGEMENT DISTRICT 939 ELLIS STREET SAN FRANCISCO, CA 94109

# CEQA INITIAL STUDY BACKGROUND

## **Project**

Proposed amendments to Bay Area Air Quality Management District Regulation 8, Rule 43: Surface Coating of Marine Vessels.

# Lead Agency

Bay Area Air Quality Management District 939 Ellis Street San Francisco, CA 94109

#### **Contact Person**

The contact person at BAAQMD for questions regarding the proposed amendments to the rule or this initial study is Bill Guy, at (415) 749-4773 or by e-mail at wguy@baaqmd.gov.

#### **Project Location**

This rule applies within the area covered by the Bay Area Air Quality Management District. The District includes all of seven counties - Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa - and portions of two others - southwestern Solano and southern Sonoma.

#### **Project Description**

The proposal consists of amendments to an existing rule. The rule imposes volatile organic compound (VOC) limits on coatings applied to marine vessels. The rule was originally adopted in 1988. The proposed amendment to Rule 43 would exempt from the rule's otherwise applicable VOC limits the brush or roller application of up to 55 gallons per year of coatings to historic vessels by a museum or park. Higher VOC coatings are required for compatibility with existing coatings used on the rigging of historic vessels maintained and displayed at the San Francisco Maritime National Historical Park, a unit of the National Park Service Park. These higher VOC coatings have been applied at the Park since

1995 under variances granted pursuant to the provisions of the California Health and Safety Code, Section 42365 *et seq*. The proposed amendment to Rule 43 would mean that the Park would no longer require variances for this coating work.

No facility other than the San Francisco Maritime National Historical Park is expected to be affected by this proposed exemption. No other amendments to Rule 43 are proposed.

## **Environmental Setting**

The BAAQMD is classified as a nonattainment area for the California and federal ambient air quality standards for ozone. The environmental setting for this rule is fully described in the final EIR prepared for the Bay Area 1991 Clean Air Plan.

#### Other Approvals Required

None

## **Environmental Factors Potentially Affected**

A check beside an impact category below indicates that, for the category, this project involves at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture Resources		Air Quality
	_ Biological Resources		Cultural Resources		Geology / Soils
	_ Hazards/Hazardous Mat'l		Hydrology/Water Quality		Land Use/Planning
	Mineral Resources		_ Noise		Population/Housing
	_ Public Services		Recreation		Transportation/Traffic
	_ Utilities/Service Systems		Mandatory Findings of Sigr	ificance	
Х	No Potentially Significant In	npacts			

# **DETERMINATION**

On the basis of this initial evaluation:

X	I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that, although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (1) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures from the EIR that are imposed upon the proposed project.
William F	H. Guy March 6, 2001 Air Quality Specialist

# **ENVIRONMENTAL IMPACT CHECKLIST**

(Note: All answers are explained on attached sheets.)

			Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impac
1.	Ae	sthetics. Would the proposal:				
	a.	Have a substantial adverse effect on a scenic vista?				X
	b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				<u> </u>
	C.	Substantially degrade the existing visual character or quality of the site and its surroundings?				<u> X</u>
	d.	Create a new source of substantial ligh or glare which would adversely affect day or nighttime views in the area?	t			<u> X</u>
2.	Ag	riculture Resources. Would the propo	sal:			
	a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
	b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				<u> X</u>
	C.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?				<u> </u>
3.	Air	Quality. Would the proposal:				
	a.	Conflict with or obstruct implementation of the applicable air quality plan?	n			X

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
b.	Violate any air quality standard or contribute substantially to an existing oprojected air quality violation?	or			<u> </u>
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				<u>X</u>
d.	Expose sensitive receptors to substantial pollutant concentrations?				X_
e.	Create objectionable odors affecting a substantial number of people?				X
	ological Resources. Would the oject:				
a.	Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c.	Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X

			Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
	d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				<u> X</u>
	e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				<u> </u>
	f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				<u>X</u>
5.	Cu	Itural Resources. Would the project:				
	a.	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				<u>X</u>
	b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X_
	C.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X_
	d.	Disturb any human remains, including those interred outside of formal cemeteries?				<u> </u>
6.	Ge	eologic and Soils. Would the project:				
	a.	Expose people or structure to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i.	Rupture of known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to the Divisior of Mines and Geology Special Publication 42)				<u> </u>

		Significant Impact	Significant With Mitigation	Significant Impact	No impact
ii.	Strong seismic ground shaking?				X
iii.	Seismic-related ground failure, including liquefaction?				<u> X</u>
iv.	Landslides?				X
b.	Result in substantial soil erosion or the loss of topsoil?				<u> X</u>
C.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				<u> </u>
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X_
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X_
На	zards and Hazardous Materials. Wou	uld the pro	ject:		
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardou materials?				<u> </u>
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				<u> </u>
C.	Emit hazardous materials or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X_

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would create a significant hazard to the public or the environment?				<u>X</u>
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				<u> X</u>
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing o working in the project area?				<u> </u>
g.	Impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				<u> X</u>
h.	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				<u> X</u>
Ну	drology and Water Quality. Would the	e project:			
a.	Violate any water quality standards or waste discharge requirements?				<u>X</u>
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net reduction in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X_

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
C.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				<u>X</u>
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				<u>X</u>
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	n			<u> X</u>
f.	Otherwise substantially degrade water quality?				<u>X</u>
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				<u>X</u>
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	. ——			X
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				<u> X</u>
j.	Inundation by seiche, tsumani, or mudflow?				X
	nd Use and Planning. Would the pject:				
a.	Physically divide an established community?				<u>X</u>

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				<u>X</u>
C.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	/			<u> X</u>
10.Mi	neral Resources. Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<del></del>			X_
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X_
11. No	<b>pise.</b> Would the project result in:				
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X_
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				<u> </u>
C.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	e			X_
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				<u>X</u>

			Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
	e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				<u>X</u>
	f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				<u> X</u>
12		<b>pulation and Housing.</b> Would the pject:				
	a.	Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X_
	b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				<u> </u>
	C.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
13	pu the alte ace or pro	blic Services. For any of the following blic services, would the project require e construction of new or physically-ered governmental facilities to maintain ceptable service ratios, response times, other performance objectives, thereby oducing significant environmental pacts:				
	a.	Fire protection?				X
	b.	Police protection?				X
	c.	Schools?				X
	d.	Parks?				X
	e.	Other public facilities?				Х

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
14.R	ecreation.				
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				<u> </u>
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				<u> X</u>
	ransportation and Traffic. Would the oject:				
a.	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	e			<u> </u>
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				<u>X</u>
C.	Produce a change in air traffic patterns including either an increase in traffic levels or a change in location that results in substantial safety risks?	s,			<u>X</u>
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersection) or incompatible uses (e.g., farm equipment)?				X_
e.	Result in inadequate emergency access?				<u>X</u>
f.	Result in inadequate parking capacity?				<u> </u>
g.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	r			<u>X</u>

		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
	ilities and Service Systems. Would e project:				
a.	Exceed the wastewater treatment requirements of the applicable Regional Water Quality Control Board?				<u> </u>
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				<u> </u>
C.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				<u> X</u>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	·			<u> </u>
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments	?			<u> </u>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	e			<u> X</u>
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	d			<u> X</u>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
17. Mandatory Findings of Significance	<b>).</b>			
a. Does the project have the potential degrade the quality of the environing substantially reduce the habitat of fish or wildlife species, cause a fist wildlife population to drop below substaining levels, threaten to eliming a plant or animal community, reduct the number or restrict the range of the rare or endangered plant or animal eliminate important examples of the major periods of California history prehistory?	ment, a  h or elf- nate ce a il, or			<u>X</u>
<ul> <li>b. Does the project have impacts that individually limited, but cumulative considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other curre projects, and the effects of probable future projects.)</li> </ul>	e nt			<u> </u>
c. Does the project have environmer effects which will cause substantia adverse effects on human beings, either directly or indirectly?	ul			X

#### **DISCUSSION OF ENVIRONMENTAL IMPACTS**

Proposed Amendments to Regulation 8, Rule 43: Surface Coating of Marine Vessels.

#### Introduction

This section of the Initial Study explains the reasons for checking the particular items checked in the checklist. Explanations are provided both for those items involving some potential impact and those for which no impact is anticipated.

## Background

This projects consists of amendments to an existing rule that limits the VOC content of coatings applied to marine vessels. Almost all coating users comply with the rule by using coatings that comply with the volatile organic compound (VOC) limits in the rule. Another compliance option, the use of afterburners or other abatement equipment, is rarely used. As a result, compliance with the rule does not involve construction of facilities or equipment. The proposed amendment to Regulation 8, Rule 43 would exempt from the rule's otherwise applicable VOC limits the brush or roller application of up to 55 gallons per year of coatings to historic vessels by a museum or park. This exemption may slightly increase VOC emissions at a single facility. This potential impact is discussed in detail in the section below regarding air quality. There are no other impacts from the proposed amendment.

#### 1. Aesthetics

Because the rule only affects activities occurring within existing coating operations, and because the proposed rule amendments only affect the VOC content of coatings at a single facility, no impact on aesthetics is expected.

#### 2. Agriculture Resources

No effect on agricultural resources is expected since the proposed rule amendment applies to a single existing facility located in San Francisco.

## 3. Air Quality

Regulation 8, Rule 43 was adopted in 1988 to reduce VOC emissions from the coating of marine vessels and thereby improve air quality. Virtually all emission reductions expected from this rule have already occurred.

The proposed amendment to Rule 43 would exempt from the rule's otherwise applicable VOC limits the brush or roller application of up to 55 gallons per year

of coatings to the rigging of historic vessels by a museum or park. No facility other than the San Francisco Maritime National Historical Park is expected to be affected by this proposed exemption.

The VOC emissions impacts of the proposed exemption are minor. The exemption would allow the use of 55 gallons of coatings that do not comply with the 340 g/l limit of the rule. The coatings to be used have a VOC content of 401 g/l. The difference in VOC content is 0.51 pounds per gallon. The proposed exemption therefore has the potential to increase emissions by 28 pounds over the course of the painting season. The painting season in San Francisco runs from April through October. Averaged over this season (assuming 22 working days per month), the potential emissions increase is 0.18 pounds per day.

Such a potential emissions increase is not significant. The BAAQMD publishes a document called *BAAQMD CEQA Guidelines: Assessing the Air Quality Impacts of Projects and Plans* that sets forth thresholds of significance for Bay Area projects. These guidelines state that the threshold of significance for reactive organic emissions is 80 pounds per day. Even if all additional emissions potentially allowed by the proposed exemption occurred on one day, they would not reach the threshold of significance. There are therefore no significant air quality impacts from the project.

The foregoing terms the emission increases "potential increases" and assumes that these emissions do not already occur. However, these coatings have been applied in similar volumes under variances granted by the BAAQMD Hearing Board since 1995. As a result, the analysis is a worst-case analysis. In actuality, the amendment should not result in any emission increase at all.

## 4. Biological Resources

The proposed rule amendments only affect the VOC content of coatings at a single facility and are not expected to result in any construction. No impacts on biological resources such as flora or fauna are expected. The amendments have the affect of allowing brush application rather than spray application of coatings. As a result, this may reduce any minor biological impacts that might result from overspray entering the water along the Hyde Street Pier.

#### 5. Cultural Resources

No construction is expected. As a result, the proposed rule amendments are not expected to have any impact on cultural resources.

## 6. Geology and Soils

The proposed amendments will not result in any construction and, as a result, no geologic or soil impacts are anticipated.

#### 7. Hazards and Hazardous Materials

Because coatings allowed under the proposed amendment to the rule contain slightly higher levels of organic solvent, there is theoretically an increase in the potential risk of exposure to hazardous substances or other health hazards. However, the increase in solvent emissions is extremely minor and pose no risk.

The solvents in the coatings that would be used are mineral spirits, Stoddard solvent, and naptha. These solvents contain xylene and trace quantities of benzene. As a result, the coating contains approximately 1.9% xylene by weight and less than a ten thousandth of 1% benzene by weight. The total weight of coatings that can be applied under the proposed amendment is approximately 550 pounds. Total emissions of xylene and benzene would therefore be approximately 10.4 pounds of xylene and 0.0006 pounds of benzene. The quantities are far below the BAAQMD toxic trigger levels (annual exposure levels at which the risk of cancer is 1 in a million) of 5790 pounds per year for xylene and 6.7 pounds per year for benzene.

# 8. Hydrology and Water Quality

No construction is expected to result from these amendments, so no impacts on drainage, groundwater, or risks to structures are anticipated. In addition, the facility affected by the amendments will not use any abatement equipment that might transfer air emissions to another media such as water. As a result, the proposed rule amendment is not expected to affect hydrology or water quality.

#### 9. Land Use and Planning

No effect on land use is expected since the proposed rule amendment applies to an existing facility that will be unchanged by the amendment.

#### 10. Mineral Resources

The proposed rule amendment is not expected to result in any construction or use of mineral resources. No impacts on mineral resources are expected.

#### 11. Noise

The proposed rule amendment only affects the nature of coatings applied at a single facility and will not have any noise impacts.

# 12. Population and Housing

No effect on population or housing is expected since the proposed rule amendment in no way affects population growth or related housing development.

#### 13. Public Services

The facility affected by the proposed rule amendment is not expected to require any new or additional public services as a consequence of the amendment. No effects on the need for public services such as police, fire, schools, or public roadway maintenance are expected.

#### 14. Recreation

The proposed rule amendment has no impact on recreation.

#### 15. Transportation and Traffic

No construction is expected and no changes in transportation or pedestrian and vehicular circulation are anticipated.

# 16. Utilities and Service Systems

Because the affected facility is not expected to use any abatement technologies that require energy to operate, the proposed rule amendment is not expected to result in increased demand for energy. No increases in demand for public utilities are expected as a result of the proposed rule amendment.

## 17. Mandatory Findings of Significance

No impacts that would required mandatory findings of significance are expected.